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**United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law**

# United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

## Report of the Secretary-General

*Summary*

The present report is submitted pursuant to General Assembly resolution 67/91. It covers the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law in 2013, as well as guidelines and recommendations for the implementation of the Programme of Assistance for the biennium 2014-2015 and administrative and financial implications.

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# I. Introduction

1. By its resolution 67/91, the General Assembly authorized the Secretary-General to carry out, in 2013, the activities specified in the reports on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (A/66/505 and A/67/518), submitted at its sixty-sixth and sixty-seventh sessions. In paragraph 25 of the same resolution, the Assembly requested the Secretary-General to report at its sixty-eighth session on the implementation of the Programme of Assistance in 2013 and, following consultations with the Advisory Committee on the Programme of Assistance, to submit recommendations regarding the implementation of the Programme of Assistance in subsequent years.

2. The present report provides information concerning the implementation of the Programme of Assistance in 2013,[1] as well as activities planned for 2014-2015 and administrative and financial implications.

# II. Implementation of the Programme of Assistance during 2013

3. The Codification Division is responsible for the implementation of the Programme of Assistance.[2] The Division performs various functions, such as preparing reports of the Secretary-General and providing services to the Advisory Committee and the Sixth Committee on the related agenda item. It also maintains the website on the Programme of Assistance.

## A. International Law Fellowship Programme

4. The International Law Fellowship Programme provides the most comprehensive international law training by leading scholars and practitioners for lawyers from developing countries and countries with emerging economies under the Programme of Assistance. The fellows attend the Public International Law session at The Hague Academy of International Law and seminars organized by the Codification Division on a broad range of subjects relating to international law. Study visits are also arranged for the participants.

5. The International Law Fellowship Programme was held in The Hague from 24 June to 2 August 2013. A total of 20 fellows (11 men and 9 women) as well as one self-funded participant (one man) were selected for the Programme.[3]

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[1] The present report also provides relevant information on activities undertaken during the latter part of 2012.

[2] For information on other activities of the Office of Legal Affairs, see documents A/68/10, A/68/17 and A/68/71 as well as the Treaty Section website (http://untreaty.un.org). Information on the Hamilton Shirley Amerasinghe Memorial Fellowship will be provided in the annual report of the Secretary-General on oceans and the law of the sea (A/68/71/Add.1), and is considered under the agenda item "Oceans and the law of the sea".

[3] A total of 897 applications were received from 118 Member States for 20 fellowships. The 20 fellowship participants were from the following countries: Albania, Argentina, Armenia, Brazil, China, Colombia, Egypt, Honduras, India, Lesotho, Malawi, Micronesia (Federated States of), Peru, Philippines, Sudan, Thailand, Trinidad and Tobago, United Republic of Tanzania, Uzbekistan and Venezuela (Bolivarian Republic of). The self-funded participant (Nigeria) was unable to attend the Programme.

6. The Hague Academy lectures included: "National boundaries, limits and delimitations: how significant are these today?" (L. Caflisch, Honorary Professor, Graduate Institute of International and Development Studies, Geneva, Member of the International Law Commission); "The course of international law. Practice and process of the law of nations" (General Course) (J. Crawford, Professor, University of Cambridge, former Member of the International Law Commission); "The international law of global governance" (E. Benvenisti, Professor, Tel Aviv University); "What normativity for the law of international monetary and financial relations?" (J.-M. Sorel, Professor, University of Paris I (Panthéon-Sorbonne)); "Article 103 of the United Nations Charter" (R. Kolb, Professor, University of Geneva); "The role of domestic judges in the development of international law" (A. Wyrozumska, Professor, University of Lodz); "The law of nationality and the law of regional organizations for integration: towards new types of status for residents?" (B. Nascimbene, Professor, University of Milan); and "The protection of individuals in the event of catastrophes" (K. G. Park, Professor, Korea University School of Law, Member of the International Law Commission).

7. The seminars organized by the Codification Division included (in chronological order): "Introduction to international law" (E. Roucounas, Professor, University of Athens); "Recognition of States and governments" and "Diplomatic protection" (J. Dugard, Professor, Leiden University, former Member of the International Law Commission); "Law of treaties" (A. Aust, London School of Economics, former Deputy Legal Adviser of the Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland); "International human rights law (Latin America)" (A. A. Cançado Trindade, Judge, International Court of Justice, former President of the Inter-American Court of Human Rights); "International humanitarian law" (Y. Sandoz, Professor, University of Fribourg); "International human rights law" (M. Milanovic, University of Nottingham School of Law); "International criminal law" (A. Zimmermann, Professor, University of Potsdam); "Work of the International Law Commission" (L. Caflisch, Honorary Professor, Graduate Institute of International and Development Studies, Geneva, Member of the International Law Commission); "State responsibility" (B. Simma, Judge, Iran-United States Claims Tribunal, Professor, University of Michigan Law Schoc!, former Judge of the International Court of Justice); "Law of the sea" (T. Treves, Professor, University of Milan, former Judge of the International Tribunal for the Law of the Sea); "International environmental law" (L. Boisson de Chazournes, Professor, University of Geneva); "International trade law", "International investment law" and "Sources of international law" (M. M. Mbengue, Professor, University of Geneva); and "International organizations" and "Diplomatic and consular relations" (P. Bodeau-Livinec, Professor, University of Paris VIII (Vincennes Saint-Denis)).

8. Study visits with briefings by senior officials were arranged for the participants at the International Court of Justice, the International Criminal Court and the Permanent Court of Arbitration.

## B. Regional Courses in International Law

9. The Regional Courses in International Law provide high-quality training by leading scholars and practitioners on a broad range of core subjects of international law as well as specific subjects of particular interest to the countries in a given

region. The courses provide an important mechanism for expanding the international law training opportunities available to lawyers from developing countries given the limited number of participants who can be accommodated in the International Law Fellowship Programme. The courses also provide participants with an opportunity to focus on contemporary issues of international law of common interest to the region, with a view to promoting greater understanding and cooperation on such issues.

*(i) Africa*

10. The Regional Course in International Law for Africa was held at the United Nations Economic Commission for Africa in Addis Ababa, Ethiopia, from 1 to 26 April 2013. A total of 29 participants and 1 observer (15 men and 15 women) attended the course, including 20 fellowship participants and 10 self-funded participants.[4]

11. The seminars for the Regional Course included (in chronological order): "Introduction to international law" (G. Nolte, Professor, Humboldt University, Member of the International Law Commission); "Research in international law" (D. Stewart, Associate Legal Officer, Codification Division, United Nations Office of Legal Affairs); "International humanitarian law" and "International criminal law" (K. Riordan, Director General of Defence Legal Services for the New Zealand Defence Force); "Law of the sea" (T. Treves, Professor, University of Milan, former Judge of the International Tribunal for the Law of the Sea); "Peaceful settlement of disputes" and "Codification and progressive development of international law: the work of the International Law Commission" (L. Caflisch, Honorary Professor, Graduate Institute of International and Development Studies, Geneva, Chairman of the International Law Commission); "State responsibility", "Diplomatic protection" and "International organizations" (E. de Wet, Professor and Co-Director of the Institute for International and Comparative Law in Africa, University of Pretoria); "International trade law" (M. M. Mbengue, Professor, University of Geneva); "The work of the African Union Commission on International Law" (A. Kilangi, Dean of the Faculty of Law, St. Augustine University of Tanzania, President of the African Union Commission on International Law); "International human rights law" (F. Viljoen, Professor and Director of the Centre for Human Rights, University of Pretoria); "International environmental law" (G. Handl, Professor, Tulane University Law School); "Self-determination in international law" and "Africa and international law in the twenty-first century" (A. Yusuf, Judge, International Court of Justice); and "International investment law" (J. Donoghue, Judge, International Court of Justice). In addition, Judge A. G. Koroma (former Judge of the International Court of Justice) gave a briefing to the participants.

12. A study visit was organized to the African Union during which the participants received briefings by African Union officials on the organization and its legal framework, including human and peoples' rights as well as peace and security. In

[4] A total of 86 applications were received from 28 States Members of the United Nations. The participants were from the following countries and organizations: Botswana, Cameroon, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Ethiopia, Gambia, Ghana, Kenya, Lesotho, Liberia, Madagascar, Mauritius, Nigeria, Rwanda, Somalia, Sudan, United Republic of Tanzania, Uganda and Zimbabwe, as well as the African Union and the Office of the United Nations High Commissioner for Human Rights. (Other participants selected from the following countries were unable to attend the course: Central African Republic, Kenya and Uganda.)

addition, Ambassador M. Getahun (Member of the African Union Commission on International Law) gave a briefing on internally displaced persons.

*(ii) Asia-Pacific*

13. The Regional Course in International Law for Asia-Pacific was held in Bangkok, Thailand, from 12 to 30 November 2012. A total of 26 participants (12 men and 14 women) attended the course, including 15 fellowship participants and 11 self-funded participants.[5]

14. The seminars included (in chronological order): "Peaceful settlement of international disputes" and "Diplomatic protection" (L. Caflisch, Honorary Professor, Graduate Institute of International and Development Studies, Geneva, Chairman of the International Law Commission); "Introduction to international law", "State jurisdiction and immunities" and "State responsibility" (M. Kawano, Professor, Waseda University); "Law of treaties", "Research in international law" and "International organizations" (P. Bodeau-Livinec, Professor, University of Paris VIII (Vincennes Saint-Denis)); "The International Court of Justice" (D. Nanopoulos, Legal Officer, Codification Division, United Nations Office of Legal Affairs); "International human rights law" (M. Pinto, Professor, University of Buenos Aires); "Law of the sea" (T. Treves, Professor, University of Milan, former Judge of the International Tribunal for the Law of the Sea); "International humanitarian law" and "International criminal law" (K. Riordan, Director General of Defence Legal Services for the New Zealand Defence Force); "International trade law" (M. M. Mbengue, Professor, University of Geneva); and "International environmental law" (S. McCaffrey, Professor, University of the Pacific, former Member of the International Law Commission).

15. The Regional Course in International Law for Asia-Pacific was scheduled to be held for the second consecutive year in Thailand from 4 to 29 November 2013. This course was cancelled due to lack of funding from the regular budget or voluntary contributions.

16. The following lectures had been arranged: "Introduction to international law" (A. Pellet, Professor, Université Paris Ouest, Nanterre/La Défense, former Member of the International Law Commission); "Law of treaties" (A. Aust, London School of Economics, former Deputy Legal Adviser of the Foreign and Commonwealth Office of the United Kingdom); "Peaceful settlement of international disputes" and "The work of the International Law Commission" (L. Caflisch, Honorary Professor, Graduate Institute of International and Development Studies, Geneva, Member of the International Law Commission); "Law of the sea" (T. Treves, Professor, University of Milan, former Judge of the International Tribunal for the Law of the Sea); "Recognition of States and governments", "State immunities" and "Diplomatic protection" (J. Dugard, Professor, Leiden University, former Member of the International Law Commission); "International environmental law" (L. Boisson de Chazournes, Professor, University of Geneva); "International human rights law"

[5] A total of 48 applications were received from 24 States Members of the United Nations. The participants were from the following countries: Afghanistan, Bangladesh, Bhutan, China, Fiji, India, Iran (Islamic Republic of), Kyrgyzstan, Mongolia, Nepal, Oman, Philippines, Qatar, Samoa, Singapore, Thailand, Tonga and Viet Nam. (Other participants selected from the following countries were unable to attend the course: Indonesia, Kazakhstan, Qatar, Saudi Arabia, Sri Lanka and Tuvalu.)

(V. Muntarbhorn, Professor, Chulalongkorn University, former Special Rapporteur on the sale of children, child prostitution and child pornography); "International humanitarian law" and "International criminal law" (K. Riordan, Director General of Defence Legal Services for the New Zealand Defence Force); "International arbitration" (B. Daly, Deputy Secretary-General and Principal Legal Counsel, Permanent Court of Arbitration); "International law and territorial disputes" and "*Jus cogens* at the International Court of Justice" (S. Yee, Professor, Wuhan University Institute of International Law); "International trade law" and "International investment law" (M. M. Mbengue, Professor, University of Geneva); and "International organizations" and "Diplomatic and consular relations" (P. Bodeau-Livinec, Professor, University of Paris VIII (Vincennes Saint-Denis)).

17. Participants had been selected from the following countries: Afghanistan, Bangladesh, Bhutan, Brunei Darussalam, China, Democratic People's Republic of Korea, Fiji, India, Indonesia, Iran (Islamic Republic of), Lao People's Democratic Republic, Maldives, Marshall Islands, Myanmar, Nepal, Oman, Philippines, Singapore, Sri Lanka, Tajikistan, Thailand, Uzbekistan and Viet Nam.

18. Study materials had also been prepared for this course.

*(iii) Latin America and the Caribbean*

19. There has been no Regional Course in International Law for Latin America and the Caribbean since 2004 due to the absence of a host country and insufficient funding. The United Nations and the Government of Uruguay concluded a host country agreement in 2013 for the organization of the Regional Course in International Law for Latin America and the Caribbean.

*(iv) Permanent venues for Regional Courses in International Law*

20. Due to the increase in the demand for international law training, the Codification Division has considered identifying permanent venues for the Regional Courses in International Law in order to facilitate the organization of these courses on a regular basis in Africa, Asia-Pacific, and Latin America and the Caribbean. These permanent venues would provide enhanced efficiency, cost savings and greater certainty with respect to the Regional Courses without precluding the possibility of holding such a course at another location.

21. Three Regional Courses in International Law for Africa were conducted in Ethiopia in 2011, 2012 and 2013. Ethiopia would provide a suitable venue for the Regional Course for Africa in 2014 and in 2015 if there is sufficient funding for these courses.

22. Three Regional Courses in International Law for Asia-Pacific were conducted in Thailand in 1986, 2005 and 2012 and an additional course planned for 2013 was cancelled due to a lack of funding. Thailand would provide a suitable venue for the Regional Course for Asia-Pacific in 2014 and in 2015 if there is sufficient funding for these courses.

## C. International law training materials

23. The Codification Division researches and collects legal materials in consultation with the lecturers for its international law training programmes. The

Division utilizes desktop publishing for the technical preparation of training materials in hard copy.[6] In addition, CD-ROMs and USB flash drives containing the training materials, legal publications of the Division and other international law materials are provided to facilitate electronic research for participants in developing countries with limited access to the Internet.

## D. United Nations Audiovisual Library of International Law

24. Traditional training courses offer unique advantages in terms of promoting in depth discussions, interaction and cooperation among participants. In response to the increasing demand for international law training which could not be met solely by its traditional training courses, the Codification Division created the United Nations Audiovisual Library of International Law. The Audiovisual Library gives the United Nations the capacity to provide high-quality training to an unlimited number of individuals and institutions in countries around the world free of charge via the Internet at a relatively low cost.

25. The Audiovisual Library is a virtual training and research centre with more than 300 leading international law scholars, judges and practitioners from different countries and legal systems who contribute to its three pillars, namely, the Lecture Series, the Historic Archives and the Research Library. The Lecture Series contains almost 300 lectures on a broad range of subjects of international law, including 20 new lectures recorded in Addis Ababa, London, New York and The Hague. In response to requests for more lectures in French for government lawyers and teachers in Africa, 25 new lectures were recorded in Brussels, Geneva and Paris. The Historic Archives contains introductory notes by leading authorities, as well as procedural histories, related documents and archival audiovisual materials prepared by the Codification Division, on almost 100 legal instruments, with materials added for 26 new legal instruments.[7] The Research Library provides an extensive online library consisting of treaties, jurisprudence, publications, documents and scholarly writings, including a new section for training materials as well as additional legal publications and law journals.[8] In addition, the Codification Division created a new,

[6] The Codification Division prepared study materials for the 2013 International Law Fellowship Programme (11 volumes), the 2013 Regional Course in International Law for Africa (13 volumes), the 2012 Regional Course in International Law for Asia-Pacific (8 volumes) and the 2013 Regional Course in International Law for Asia-Pacific (11 volumes). It wishes to express its appreciation to: Professor G. Abi-Saab, Professor B. S. Chimni and Professor D. Kennedy and to the *American Journal of International Law*, the *American University Law Review*, Brill Academic Publishers, Cambridge University Press, the Carnegie Council for Ethics in International Affairs, Éditions Bruylant, Éditions A. Pedone, Eleven International Publishing, the *George Washington International Law Review*, The Hague Academy of International Law, Hart Publishing, the *ILSA Journal of International and Comparative Law*, the International Institute for Sustainable Development, Johns Hopkins University Press, Juta and Co., Matthew Bender & Company, Inc. (a member of LexisNexis Group), the *New York University Journal of International Law and Politics*, Oxford University Press, Schulthess Verlag, *Schweitzerisches Jahrbuch für Internationales Recht*, *Third World Legal Studies*, Thomson Reuters, T.M.C. Asser Press, and University of Chicago Press for the use of scholarly writings for academic purposes as part of the study materials for the training courses.

[7] Translations of legal materials for the Historic Archives and the Lecture Series were provided in all official languages of the Organization (approximately 400 pp. for 2012-2013).

[8] The Codification Division wishes to express its appreciation to William S. Hein and Company and Oxford University Press for providing legal materials for the Research Library.

more user-friendly website for the Audiovisual Library, which was launched on 7 October 2013. The new website also facilitates access to materials in the various official languages of the Organization and allows the viewing of audiovisual materials on mobile devices.

26. The Audiovisual Library has been accessed by almost 1 million individuals and institutions in 193 Member States, including 520,000 new users since last October. The Audiovisual Library was created primarily for the benefit of lawyers in developing countries. However, it has been accessed primarily by lawyers in developed countries.[9] The limited number of users in developing countries is in part due to a lack of awareness of this resource and in part to the technology gap in terms of limited access to computers, electricity and reliable high-speed Internet.

27. In an effort to promote greater awareness of the Audiovisual Library, the Codification Division gave Audiovisual Library presentations at the Regional Courses in International Law in Thailand and Ethiopia, the African Union Forum on International and African Union Law in Ethiopia, the International Association of Law Schools Annual Meeting in India, as well as at the International Law Fellowship Programme in the Netherlands.

28. In addition, the Codification Division provided a collection of lectures on DVDs to the National Law School of Lesotho which had difficulty accessing these lectures via the Internet. The Codification Division is exploring the possibility of making lectures available on DVDs to other law schools or institutions in developing countries upon request, depending on available resources.

## E. Desktop publishing

29. In 2013, the Codification Division performed all pre-press services utilizing desktop publishing to ensure the timely issuance of the following publications:

(a) *United Nations Juridical Yearbook 2012* (English version);

(b) *Reports of International Arbitral Awards*, vol. XXX (English/French);

(c) *Summaries of Judgments, Advisory Opinions and Orders of the International Court of Justice* (2008-2012) (English and French versions);

(d) *Summaries of Judgments, Advisory Opinions and Orders of the Permanent Court of International Justice* (French version).[10]

## F. Dissemination

30. The dissemination of legal publications and information through the Internet, as well as other electronic media, is intended to supplement the limited number of hard copies, without prejudice to the unique value of printed materials for legal research and education, in particular for lawyers in developing countries with limited access to the Internet. These materials are provided free of charge on the

[9] The Audiovisual Library has been accessed by only 57,464 users in Africa, 201,219 in Asia-Pacific and 55,285 in Latin America and the Caribbean.

[10] In 2013, the Codification Division extended its desktop publishing to include the French version of the publications listed in subparagraphs (c) and (d).

Internet to promote the teaching, study, dissemination and wider appreciation of international law.

*Distribution of United Nations legal publications*

31. The distribution of copies of United Nations legal publications to depositary libraries and institutions in developing countries was discontinued on 8 November 2012 pursuant to a decision by the Department for General Assembly and Conference Management.

32. In 2013, the Codification Division provided legal publications and training materials, upon request, to the African Union Library in Ethiopia as well as academic and other training institutes in developing countries that have limited or no access to such materials via the Internet, namely, Cameroon, Côte d'Ivoire, Lesotho and South Sudan.

## III. Guidelines and recommendations regarding the implementation of the Programme of Assistance for the biennium 2014-2015

33. The paragraphs below contain the recommendations requested by the General Assembly in paragraph 25 of its resolution 67/91.

34. The Codification Division plans to conduct the following training courses if it receives the necessary resources.

*International Law Fellowship Programme*

35. *International Law Fellowship Programme*: for a period of six weeks for 30 participants, including a minimum of 20 fellowship participants and additional self-funded participants in 2014 and in 2015. The Codification Division will continue to perform all tasks relating to the organization and administration of the Fellowship Programme as long as it has the necessary resources.[11]

*Regional Courses in International Law*

36. *Regional Course in International Law for Africa*: for a period of four weeks for 30 participants, including a minimum of 20 fellowship participants and additional self-funded participants in 2014 and in 2015 in Ethiopia.

37. *Regional Course in International Law for Asia-Pacific*: for a period of four weeks for 30 participants, including a minimum of 20 fellowship participants and additional self-funded participants in 2014 and in 2015 in Thailand.

38. *Regional Course in International Law for Latin America and the Caribbean*: for a period of four weeks for 30 participants, including a minimum of 20 fellowship participants and additional self-funded participants in 2014 and in 2015. This course is subject to the conclusion of a host country agreement.

[11] Since 2010, the Codification Division has conducted the Fellowship Programme in The Hague as a necessary cost-saving measure to increase the number of fellowships provided by the regular budget (see A/65/514, para. 12).

39. Guidelines contained in the relevant General Assembly resolutions would be followed, in particular regarding the desirability of using, as far as possible, the resources (financial and in-kind) and facilities made available by Member States, international and regional organizations, academic institutions, individuals and others, and taking into account the need, in appointing highly qualified lecturers for the fellowship programmes, to ensure representation of the major legal systems and balance among various geographical regions, bearing in mind financial constraints. Every effort would be made to maintain the high quality of these training courses by inviting such lecturers and by including the main substantive areas of international law in the curriculum.

*United Nations Audiovisual Library of International Law*

40. The Codification Division plans to continue and further develop the Audiovisual Library if it receives the necessary resources. The Codification Division would record 50 new lectures for the Lecture Series, prepare new legal and audiovisual materials for 35 legal instruments for the Historic Archives, and add new legal materials to the Research Library. It would also submit the new legal materials for the Historic Archives and the Lecture Series for translation in all official languages of the Organization (400 pages in total). Ten presentations of the Audiovisual Library would be prepared and given to increase dissemination, particularly among lawyers in developing countries. Storage space for audiovisual materials would need to be acquired. DVDs of lectures may also be provided to academic institutions in developing countries depending on resources.

*Desktop publishing*

41. In 2014-2015, the Codification Division plans to prepare:

(a) *United Nations Juridical Yearbook 2013* and *2014* (600 pages per edition), pursuant to General Assembly resolutions 1814 (XVII) and 3006 (XXVII);[12]

(b) *United Nations Legislative Series, Materials on the Responsibility of States for Internationally Wrongful Acts* (2nd ed.), vol. 28 (600 pages), pursuant to resolution 67/91;[13]

(c) *Reports of International Arbitral Awards*, vol. XXXI (600 pages), pursuant to resolutions 487 (V) and 67/91; [14] and

(d) *Judgments, Advisory Opinions and Orders of the International Court of Justice* (2013-2017) (advance translations of 400 pages), pursuant to resolutions 46/50 and 67/91.[15]

[12] Arabic, Chinese, English, French, Russian and Spanish.

[13] See resolution 67/91, para. 10. (Arabic, Chinese, English, French, Russian and Spanish.)

[14] See resolution 487 (V), para. 3, and the report of the International Law Commission to the General Assembly, 1950 (A/1316), para. 91. See also resolution 67/91, para. 2, and the report of the Secretary-General on the Programme of Assistance (A/66/505), para. 30 (b). (Bilingual publication, English/French.)

[15] See resolutions 46/50, para. 5, and 67/91, para. 2, as well as the report of the Secretary-General on the Programme of Assistance (A/66/505), para. 30 (f). (Arabic, Chinese, English, French, Russian and Spanish.)

42. If the General Assembly so decides, the Codification Division would also prepare the following legal publications:

(a) *United Nations Juridical Yearbook: Special Edition* containing select legal opinions from 1945 to 1962 (600 pages);[16] and

(b) *Handbook on International Law* (500 pages).[17]

All publications would include CD-ROMs or flash drives.

43. The Codification Division would continue to perform all pre-press services using desktop publishing for the legal publications listed above, as well as training materials, on a voluntary basis as long as it has the resources (staff and necessary materials) to do so.

*Dissemination*

44. The Codification Division would continue to distribute hard copies of its legal publications and training materials for participants at its training courses and to institutions in developing countries upon request if it has the necessary hard copies as well as the resources to cover handling and shipping

# IV. Administrative and financial implications of the Programme of Assistance

## A. During 2013

45. Concerning the funding provided for the International Law Fellowship Programme and Regional Courses in International Law, a total of $437,500 was included in the regular budget under section 8 (Legal affairs), subprogramme 3 (Progressive development and codification of international law) (grants and contributions), of the programme budget for the biennium 2012-2013.

46. In its resolution 67/91, the General Assembly reiterated its request to Member States and interested organizations, institutions and individuals, to make voluntary contributions towards the financing of activities under the Programme. Accordingly, on 21 January 2013, a note verbale was sent to Member States to draw their attention to resolution 67/91.

47. Since the previous report, a voluntary contribution has been received for the Programme of Assistance from Panama ($1,500). Voluntary contributions have also been received for specific Programme activities: (a) for the Audiovisual Library from China ($20,000), Germany ($39,683), Ireland ($9,000), Italy ($5,000), Mexico ($10,000), the Netherlands ($32,982), Norway ($26,958), Switzerland ($25,000) and the United Kingdom ($7,500); (b) for the International Law Fellowship Programme from Ireland ($3,500); and (c) for the regional courses from China ($40,000), Saudi Arabia ($10,000) and the African Union ($50,000).

[16] This Special Edition would contain legal opinions with a continuing legal or historic significance that have not been published previously in the *Juridical Yearbook*, which began in 1963 (bilingual publication, English/French).

[17] This publication would provide an educational resource for the training courses of the Division as well as academic institutions in developing countries (original English and French).

48. In addition, the United Nations and the African Union concluded a Memorandum of Understanding in which the African Union, subject to its budgetary resources, undertakes to continue to contribute to the cost of future Regional Courses in International Law for Africa of an amount of funds specifically earmarked for that purpose in its budget.

49. The Codification Division also continued to invite States, universities, institutions and organizations, as well as individuals to contribute to and assist in the implementation of the Programme of Assistance.

50. With regard to the *International Law Fellowship Programme*, the Registry of the International Court of Justice provided offices and related equipment for staff of the Codification Division and lecturers, as well as essential administrative and logistical support for the Programme. The Hague Academy of International Law provided a reduced tuition rate for the fellows. The Carnegie Foundation provided a seminar room as well as related equipment for staff of the Codification Division and lecturers.

51. Concerning the *Regional Course in International Law for Africa*, the Economic Commission for Africa provided a seminar room, offices, equipment, transportation and administrative assistance for staff of the Codification Division and lecturers. The African Union organized a study visit to its headquarters. In addition, the University of Pretoria covered costs relating to the participation of two lecturers in the Regional Course and donated the publication *Compendium of Key Human Rights Documents of the African Union* to the participants of the Regional Course.[18] Similarly, Cambridge University Press donated the publication *Modern Treaty Law and Practice* to the participants.[19] The United Kingdom covered the shipping cost for this publication.

52. In relation to the *Regional Course in International Law for Asia-Pacific* in 2012, the Government of Thailand provided a seminar room, offices, equipment, lunches, local transportation and administrative assistance, as well as accommodation and additional meals for those receiving fellowships. The Economic and Social Commission for Asia and the Pacific also provided administrative support for this course.

53. In addition, publications were provided free of charge to the participants in the various training programmes by the: Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime, the Department of Public Information, the International Criminal Court, the International Committee of the Red Cross and the Ministry of Foreign Affairs and Trade of New Zealand. Various entities, publishers and law journals granted permission to include scholarly articles free of charge in the study materials prepared for the participants in the training programmes (see para. 23 above).

54. The Codification Division concluded a project document with the United Nations Fund for International Partnerships with regard to the organization of Regional Courses in International Law and the development of the Audiovisual Library of International Law.

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[18] C. Heyns and M. Killander (eds.), *Compendium of Key Human Rights Documents of the African Union* (4th ed.), Pretoria University Press, Pretoria, 2010.

[19] A. Aust, *Modern Treaty Law and Practice* (2nd ed.), Cambridge University Press, Cambridge, 2007.

55. Since the previous report, the following countries have made contributions for the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea: Ireland ($3,500), Monaco ($10,507) and Sri Lanka ($10,000).

## B. During the biennium 2014-2015

56. In resolution 67/91, the General Assembly reiterated its request to the Secretary-General to provide to the programme budget for the biennium 2014-2015 the resources necessary for the Programme of Assistance to ensure the continued effectiveness and further development of the Programme, in particular the organization of Regional Courses in International Law on a regular basis and the viability of the Audiovisual Library.

57. With regard to the International Law Fellowship Programme and the Regional Courses in International Law, an amount of $458,000 is proposed in the programme budget for the biennium 2014-2015 under section 8 (Legal affairs), subprogramme 3 (Progressive development and codification of international law) (grants and contributions), assuming that the General Assembly approves the recommendations on those programmes.

*International Law Fellowship Programme*

58. The estimated cost for the International Law Fellowship Programme, based on 20 fellowship participants per year, is $406,000 for the biennium. The remaining $52,000 would be used to provide additional fellowships for the Programme or to cover part of the cost of conducting one of the Regional Courses in International Law.

*Regional Course in International Law for Africa*

59. The estimated direct cost[20] for the Regional Courses for Africa based on 20 fellowship participants per year is $416,000 for the biennium. It is anticipated that approximately $100,000 of this estimate would be covered by voluntary contributions from the African Union.

*Regional Course in International Law for Asia-Pacific*

60. The estimated direct cost for the Regional Courses for Asia-Pacific based on 20 fellowship participants per year is $320,000 for the biennium. It is anticipated that the remaining costs would be covered by the host country.

*Regional Course in International Law for Latin America and the Caribbean*

61. The estimated direct cost for the Regional Courses for Latin America and the Caribbean based on 20 fellowship participants per year is $300,000 for the biennium. It is anticipated that the remaining costs would be covered by the host country.

[20] Funds provided by voluntary contributions require an additional amount of approximately 13 per cent for programme support cost.

*United Nations Audiovisual Library of International Law*

62. The following resources are required to maintain and develop the Audiovisual Library of International Law: two Professionals and one General Service staff. Currently, two Professionals (SSA consultants) and one General Service staff are funded by extrabudgetary resources. The fees and salaries for their services for the 2014-2015 biennium are estimated at $465,000. An additional $115,000 is estimated for costs relating to equipment, off-site recordings, and digitization of audiovisual material. The total estimated direct cost for this activity is $580,000 for the biennium based on the current temporary personnel arrangements.

*Desktop publishing*

63. As indicated in the proposed programme budget for the biennium 2014-2015 (A/68/6 (Sect. 8), table 8.6), the Codification Division would discontinue its desktop publishing for some legal publications if the General Service staff (Team Assistant) is abolished in the Division as has been proposed. In addition, desktop publishing would be discontinued if the Division does not receive the necessary materials.

*Dissemination*

64. As indicated above (para. 31), the distribution of copies of United Nations legal publications to depositary libraries and institutions in developing countries was discontinued in 2012.[21]

65. The Codification Division would provide and ship legal publications and training materials for participants in its training programmes, as well as to academic institutions in developing countries upon request if it has the necessary hard copies as well as the resources to do so.

66. The Secretary-General will continue, if the General Assembly so decides, to request voluntary and in-kind contributions to the Programme. It is to be noted that the amount of voluntary contributions has significantly decreased in recent years and that the available resources are not sufficient to conduct any Regional Course in International Law or to further develop the Audiovisual Library in 2014-2015.

# V. Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

## A. Membership

67. The General Assembly, by its resolution 66/97, appointed the following 25 Member States as members of the Advisory Committee for the period from 1 January 2012 to 31 December 2015: Argentina, Canada, Chile, Cyprus, Czech Republic, Ethiopia, France, Germany, Ghana, Iran (Islamic Republic of), Italy, Kenya, Lebanon, Malaysia, Mexico, Nigeria, Pakistan, Portugal, Russian

[21] The actual cost of producing and supplying United Nations legal publications to institutions in developing countries fell under the allocations relating to administrative and common services of the substantive programme budget to which each publication belongs.

Federation, Sudan, Suriname, Trinidad and Tobago, Ukraine, United Republic of Tanzania and United States of America.

## B. Consideration of the report of the Secretary-General by the Advisory Committee at its forty-eighth session

68. The forty-eighth session, held on 8 and 10 October, was chaired by the Permanent Representative of Ghana, Ken Kanda.

69. Virginia Morris, Principal Legal Officer, Codification Division, acted as Secretary of the Advisory Committee; Hanna Dreifeldt Lainé, Legal Officer, Codification Division, acted as Assistant Secretary.

70. The following members of the Committee were present on 8 October: Argentina, Canada, Chile, Cyprus, Czech Republic, Germany, Ghana, Iran (Islamic Republic of), Italy, Kenya, Malaysia, Mexico, Nigeria, Pakistan, Portugal, Russian Federation, Suriname, Trinidad and Tobago, United Republic of Tanzania and United States. The Netherlands, Thailand and Uruguay attended the meeting as observers in their capacity as host countries for the training courses.

71. The following members of the Committee were present on 10 October: Argentina, Canada, Chile, Cyprus, Czech Republic, France, Germany, Ghana, Iran (Islamic Republic of), Malaysia, Mexico, Pakistan, Russian Federation, Trinidad and Tobago and United States. Uruguay attended the meeting as observer in its capacity as host country for the Regional Course.

72. The Secretary of the Advisory Committee made a statement in which she reviewed the activities conducted in 2013 and the efforts made by the Codification Division to strengthen, revitalize and expand the Programme of Assistance to continue to respond to the increasing demand for international law training and research materials in developing countries as well as developed countries.

73. The Advisory Committee commended the Codification Division on those activities, which were of great value to practitioners and academics in countries around the world, and on efforts to enhance those activities.

74. The Secretary of the Advisory Committee reviewed the financial and administrative aspects of the Programme, including issues relating to the regular-budget funding for the Programme and the significant decline in voluntary contributions. She noted that the resources available were not sufficient to conduct the Regional Courses in International Law or to further develop the Audiovisual Library. She also noted that the insufficient funding for those activities could result in their complete discontinuance.

75. In addition to referring to the activities of the Programme of Assistance mentioned in this report, many members of the Advisory Committee highlighted the need to provide funding from the regular budget also for the Amerasinghe Memorial Fellowship on the Law of the Sea, referred to in resolution 67/91, and also for the seminars and regional training on international treaty law and practice and for legal publications and training materials. The view was also expressed that the primary focus of the request for funding should be with respect to the Regional Courses in International Law and the Audiovisual Library by the Codification Division.

76. The Advisory Committee recognized the major contribution of the Programme to the teaching and dissemination of international law for the benefit of lawyers in

all countries, legal systems and regions of the world for almost half a century, in addition to the increasing demand for international law training. The Committee further stressed the important role that Programme activities, particularly the United Nations Regional Courses in International Law and the United Nations Audiovisual Library of International Law, play in the furtherance of the Organization's rule of law programmes and activities.

77. The Advisory Committee recommended that the Secretary-General be requested to carry out in 2014-2015 the activities specified in the present report and in General Assembly resolution 67/91.

78. The Advisory Committee noted with concern the continued insufficient funding for the Programme of Assistance and concluded that voluntary contributions have not proven to be an adequate method for funding Programme activities specified in this report and in General Assembly resolution 67/91, in particular the Regional Courses and the Audiovisual Library, and that, consequently, there was a need to provide more reliable funding for those activities.

79. Consequently, the Advisory Committee recommended that the General Assembly reiterate its request to the Secretary-General, in accordance with General Assembly resolution 67/91, in particular operative paragraph 7 thereof, to provide to the programme budget for the biennium 2014-2015 the resources necessary for the Programme of Assistance to ensure the continued effectiveness and further development of the Programme, in particular the organization of United Nations Regional Courses in International Law on a regular basis and the viability of the United Nations Audiovisual Library of International Law.

# Annex

## Websites maintained by the Codification Division

| *Website* | *Uniform resource locator* |
|---|---|
| Codification of international law | www.un.org/law/lindex.htm |
| Sixth Committee of the General Assembly | www.un.org/en/ga/sixth |
| International Law Commission | www.un.org/law/ilc |
| Diplomatic conferences (official records of proceedings) | http://untreaty.un.org/cod/diplomaticconferences/index.html |
| Rome Statute of the International Criminal Court | http://untreaty.un.org/cod/icc/index.html |
| Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization | www.un.org/law/chartercomm |
| Ad Hoc Committee on Criminal Accountability of United Nations Officials and Experts on Mission | www.un.org/law/criminalaccountability |
| Ad Hoc Committee on the Administration of Justice at the United Nations | www.un.org/law/administrationofjustice |
| Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 | www.un.org/law/terrorism |
| Ad Hoc Committee on Jurisdictional Immunities of States and Their Property | www.un.org/law/jurisdictionalimmunities |
| Ad Hoc Committee on an International Convention against the Reproductive Cloning of Human Beings | www.un.org/law/cloning |
| Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel | www.un.org/law/UNsafetyconvention |
| United Nations legal publications portal | www.un.org/law/UNlegalpublications |

| *Website* | *Uniform resource locator* |
|---|---|
| *Repertory of Practice of United Nations Organs* | www.un.org/law/repertory |
| *United Nations Juridical Yearbook* | www.un.org/law/UNJuridicalYearbook |
| *Summaries of Judgments, Advisory Opinions and Orders of the International Court of Justice* | www.un.org/law/ICJsummaries |
| *Summaries of Judgments, Advisory Opinions and Orders of the Permanent Court of International Justice* | www.un.org/law/PCIJsummaries |
| *Reports of International Arbitral Awards* | www.un.org/law/riaa |
| *United Nations Legislative Series* | www.un.org/law/legislativeseries |
| United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law | www.un.org/law/programmeofassistance |
| International Law Fellowship Programme | www.un.org/law/ilfp/ |
| Regional Courses in International Law | www.un.org/law/rcil/ |
| United Nations Audiovisual Library of International Law | www.un.org/law/avl |